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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA
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9 RODNEY BANKS,

10 Plaintiff,

11 v.

12 J. PELAYO, *et al.*,

13 Defendants.
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Case No. 1:20-cv-00117-BAM (PC)

ORDER DENYING PLAINTIFF'S SECOND
APPLICATION TO PROCEED *IN FORMA*
PAUPERIS AS MOOT

(ECF No. 8)

15 Plaintiff Rodney Banks is a state prisoner proceeding *pro se* and *in forma pauperis* in this
16 civil rights action pursuant to 42 U.S.C. § 1983.

17 On January 29, 2020, the Court granted Plaintiff's application to proceed *in forma*
18 *pauperis* in this action pursuant to 28 U.S.C. § 1915. (ECF No. 7.) On February 3, 2020,
19 Plaintiff filed a second application to proceed *in forma pauperis*. (ECF No. 8.)

20 Since Plaintiff has already been granted leave to proceed *in forma pauperis* in this action,
21 Plaintiff's second application is unnecessary. Accordingly, Plaintiff's second application to
22 proceed *in forma pauperis*, (ECF No. 8), is HEREBY DENIED as moot.

23 IT IS SO ORDERED.
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25 Dated: February 5, 2020

/s/ Barbara A. McAuliffe
26 UNITED STATES MAGISTRATE JUDGE
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